

## BRIDGE ACROSS THE SPUYTEN DUYVIL CREEK AND THE HARLEM RIVER.

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APRIL 8, 1904.—Ordered to be printed.

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Mr. BERRY, from the Committee on Commerce, submitted the following

### REPORT.

[To accompany S. 4713.]

The Committee on Commerce, to whom was referred the bill (S. 4713) to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and bulkhead lines as now established in the city of New York, having considered the same report it with amendments and as amended recommend its passage.

The amendments are in accordance with the suggestions of the local engineer of the War Department, whose letter is appended, in which may be found the facts of the case.

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UNITED STATES ENGINEER OFFICE,  
*New York City, March 16, 1904.*

GENERAL: In compliance with your letter of March 4, 1904, I have the honor to submit the following report on Senate bill 4713, Fifty-eighth Congress, second session, entitled, "A bill to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and bulkhead lines as now established in the city of New York."

The bill, as it reads, will authorize the corporations concerned to construct fixed bridges, or other fixed structures, across those portions of Harlem River and Spuyten Duyvil Creek, which were cut off from those streams by the canal cut through Dyckmans Meadows in the course of improvement of the Harlem River. The object of the railroad companies is to shorten their present line, and to avoid certain grade crossings in the city of New York.

Pier and bulkhead lines were established by the United States in those portions of Harlem River and Spuyten Duyvil Creek in October, 1890, but were canceled January 8, 1897, after the completion of the Harlem Ship Canal.

There now exist over the waterway in question three fixed bridges: The Farmer's Bridge on Kingsbridge road, having two spans of 22 feet and 24 feet 6 inches each, a clear height of 3.1 feet above mean high water, and waterways of 160 and 190 square feet, respectively; the Broadway Bridge at Broadway, having one span of 40 feet, a clear height of 8 feet above mean high water, and a waterway of 600 square

feet; and the old Kings Bridge at Kingsbridge avenue, having two spans of 26 feet and 15 feet 3 inches, a clear height of 4.8 feet above mean high water, and waterways of 210 and 90 square feet, respectively.

As a condition precedent to the construction of the fixed bridges or other fixed structures, the corporations are required to obtain, in writing, the consents of land owners and parties interested therein to the land bordering upon that portion of the Harlem River between the northerly Harlem River pier and bulkhead line, as now established, and the fixed bridge next northerly thereof and known as the Farmer's Bridge, and likewise consents are to be obtained from owners of land and parties interested therein bordering upon that portion of Spuyten Duyvil Creek between the said northerly Harlem River pier and bulkhead line and the fixed bridge next northerly thereof and known as Kings Bridge.

They are not required by the terms of the bill to consider in any way the rights of parties owning land or interest therein between the two bridges, Farmer's Bridge and Kings Bridge.

As the corporations are given by the terms of the bill the right to construct fixed bridges, culverts, embankments, or any permanent structure they choose, cutting off all communication with the canal from those parties holding land between these two bridges, the names of the landholders were obtained, and they were invited to state what objections, if any, they had to offer to the proposed bill.

The following is a list of the parties owning land in this section: The Dyckman estate, represented by Mr. D. E. Seybel; the American Real Estate Company; J. C. Rodgers; the Godwin estate, represented by Isaac Smith, and ——— Valentine. All these parties, except ——— Valentine, who could not be found, made formal objection to any construction by the railroad companies which would stop the flow of water through the "loop" or would interfere with navigation more than it is now limited by existing bridges.

The New York Central Railroad, through its representatives, stated that it had already obtained the control of all property bordering on the Harlem River from the present pier and bulkhead lines north to Farmers Bridge and all that bordering Spuyten Duyvil Creek from the present pier and bulkhead lines north to Kings Bridge, as required by the terms of the bill. It was the wish of the railroad authorities to construct a solid embankment across the eastern (Harlem) branch and a culvert or small bridge across the western (Spuyten Duyvil) branch, allowing for drainage through that. This was objected to by the landowners, as it would cause stagnant water throughout nearly the whole length of the waterway.

These objections may all be overcome by permitting the railroad companies to construct fixed bridges at the two points selected, that over the branch of the Harlem River to be 25-foot span and giving a clear height above mean high water of 4 feet 8 inches and that over the branch of the Spuyten Duyvil Creek to be 20-foot span and a clear height of 3 feet 8 inches above mean high water. These figures are acceptable to all parties concerned, both the railroad and landowners.

I therefore recommend that the bill be amended by striking out the words "or such other fixed structures as may be required or convenient for the passage of railway trains and other railroad equipment thereon," occurring on page 2, lines 6, 7, and 8, substituting therefor the words "that bridge across the Harlem River north of said pier and bulkhead line to have a clear span of not less than twenty-five feet and a clear height above mean high water of not less than four feet and eight inches, and that bridge across Spuyten Duyvil Creek north of said pier and bulkhead line to have a clear span of not less than twenty feet and a clear height above mean high water of not less than three feet and eight inches;" by striking out the words "or other structures," page 2, lines 8 and 9, and page 3, lines 10 and 18; and by striking out the words "or other fixed structures," page 2, lines 16 and 17, and on page 3, lines 1 and 2.

I would further recommend that if the railroad corporations concerned should obtain control of the land bordering on Harlem River and Spuyten Duyvil Creek between the Farmers Bridge and Kings Bridge, as they now control the remainder of the land bordering on those streams north of the north pier and bulkhead line of Harlem River, they then be allowed to construct any structure they see fit, either bridges, culverts, or embankments, across either or both streams, as they would then control all navigation interests.

Very respectfully, your obedient servant,

EARL I. BROWN,  
*First Lieut., Corps of Engineers,  
In Absence of Colonel Stickney.*

Brig. Gen. A. MACKENZIE,  
*Chief of Engineers, U. S. Army, Washington, D. C.*